Compliance of SC and ST (Prevention of Atrocities) Act, 1989

1470. iClISS. MABEL REBELLO: Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

(a) the details of measures prescribed under the rules framed .under the Scheduled Caste and the Scheduled Tribe (Prevention of Atrocities) Act, 1989;

(b) to what extent such rules are complied with by various States, State-wise; and

(c) how do Government ensure compliance of these rules by State Governments?

THE MINISTER OF SOCIAL JUSTICE AND EMPOWERMENT (DR. SATYANARAYAN JATIYA): (a) The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Rules, 1995 were notified vide No. 145 dated 31.03.1995. Rule 3 of the said Rules provide for precautionary and preventive measures which provide that the State Government shall take the following measures with a view to prevent atrocities on Scheduled Castes and Scheduled Tribes:—

(i) Identify the area where it has reasons to believe that atrocity may take place or there is an apprehension of recurrence of an offence under the Act; (ii) Order the District Magistrate and Superintendent of Police or any other to visit the identified area and review the law and order situation; (Hi) If deem necessary, in the identified area, cancel the arms licenses of the persons, not being members of the Scheduled Castes or the Scheduled Tribes, their near relations, servants or employees and family friends and get such arms deposited in the Government Armoury; (iv) Seize all illegal fire arms and prohibit any illegal manufacture of fire arms; (v) With a view to ensure the safety of person and property, if deem necessary, provide arms licenses to the members of the Scheduled Castes and the Scheduled Tribes; (vi) Constitute a high power State-level committee, district and divisional level committees or such number of other committees as deem proper and necessary for assisting the Government in implementation of the provisions of the Act; (vii) Set-up a vigilance and monitoring committee to suggest effective measures to implement the provisions of the Act;

(viii) Set-up Awareness Centres and organize Workshops in the identified area or at some other place to educate the persons belonging to the Scheduled Castes and the Scheduled Tribes about their rights and the protection available to them under the provisions of various Central and State enactments or rules, regulations and schemes framed thereunder;

(ix) Encourage Non-Government Organizations for establishing and maintaining Awareness Centre and organizing Workshops and provide them necessary financial and other sort of assistance;

(x) Deploy special police force in the identified area;

(xi) By the end of every quarter, review the law and order situation, functioning of different committees, performance of Special Public Prosecutors, Investigating Officers and other Officers responsible for implementing the provisions of the Act and the cases registered under the Act.

(b) and (c) The details of various measures taken by the States / UTs as well as by the Central Government are contained in the Annual Report which is laid on the Table of each House of Parliament by the Central Government, in accordance with Section 21 (4) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989. The Annual Report for the year ended 31.12.1998 has already been laid on the Table of the Rajya Sabha on 06.08.2001 and the Table ofLok Sabha on 08.08.2001 and the report contains the State wise details of measures taken.

The Central Government is also taking following measures in co-ordination with the State Governments / Union Territory Administrations for preventing atrocities against SCs / STs:—

(i) Under the Centrally Sponsored Scheme for implementation of the Protection of Civil Rights Act, 1955 and the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, central assistance is provided to the State Governments on 50:50 basis and to Union Territory Administration on 100% basis, for effective implementation of the Acts, which include legal aid, appointment of officers for initiating or exercising supervision over prosecution, setting up of Committees, Special Cells, Special Courts, conducting periodic surveys, identification of atrocity prone areas and providing relief and rehabilitation to victims / dependents of atrocity victims.

(ii) State Governments, where pendency of cases, is high, have been requested to establish exclusive Special Courts for expeditious disposal of cases registered.

(iii) Chief Secretaries of States / UTs have been requested by the Ministry of Social Justice and Empowerment for ensuring effective implementation of provisions of the Act and policies as also the delivery of services and justice to the victims and target group.

(iv) Chief Ministers of all States / UTs have been requested to take following steps:—

(a) Issuing suitable instructions to the authorities for implementing the Acts in letter and spirit.

(b) Giving particular attention for maintenance of law and order in the identified atrocity prone areas.

(c) Taking special measures, as deemed necessary to protect the life and property of Scheduled Castes and the Scheduled Tribes in sensitive areas, where crime rate is high.

(d) Ensure speedy disposal of cases filed to provide timely justice to the affected persons, filing appeal in time in respect of acquittal cases, based on the factual details.

(e) Involving the elected public representatives and non-governmental organizations suitably at State, District, Block and Village level forgiving required protection to the affected persons and implementation of the Act.

(0 Training of personnel especially of the police and investigating agencies as also in procedures, prosecution etc.

(v) Implementation of the Act is reviewed in the annual conference of the State Secretaries of Scheduled Castes Development and Social Welfare Department and the State Secretaries are requested to take effective measures for implementation of the Act.

Compensation to SC/ST victims of atrocities

1471. MISS MABEL REBELLO: Will the Minister of SOCIAL JUSTICE AN D EMPOWERMENT be pleased to state:

(a) the figures of atrocities committed on SCs and STs during the last three years, State-wise;